

FILED

April 28, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: Jennifer Clark
DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

CAROLYN W. HAFEMAN,

Plaintiff,

v.

LG ELECTRONICS INC.,

Defendant.

Civil Action No. 6:21-cv-00696-ADA

JURY TRIAL DEMANDED

VERDICT FORM

In answering the following questions, please follow the instructions that I have given you in the Court's jury charge and the directions provided throughout this Verdict Form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions and your jury binder. Please refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

In this Verdict Form, the following terms have the following meanings:

- **Ms. Hafeman** refers to Carolyn W. Hafeman
- **LG** refers to LG Electronics Inc.
- The **'287 Patent** refers to U.S. Patent No. 9,892,287
- The **'122 Patent** refers to U.S. Patent No. 10,325,122
- The **'393 Patent** refers to U.S. Patent No. 10,789,393
- The **Patents-in-Suit** refer collectively to the **'287 Patent**, **'122 Patent**, and the **'393 Patent**.
- The **Asserted Claims** refer collectively to claims 1 and 4 of the **'287 Patent**; claims 1, 4, and 7 of the **'122 Patent**; and claims 1, 4, and 7 of the **'393 Patent**.

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE INSTRUCTIONS PROVIDED
IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR VERDICT COMPLIES
WITH THEM**

We, the jury, unanimously agree to the answers to the following questions and return them as our verdict in this case:

QUESTION 1: DIRECT INFRINGEMENT

Directions: In answering Question 1 below, please answer either “Yes” or “No” for each listed claim.

QUESTION 1: Has **Ms. Hafeman** proven by a preponderance of the evidence that **LG** directly infringed the following claims of the Patents-in-Suit? “Yes” is a finding for **Ms. Hafeman**. “No” is a finding for **LG**.

The '287 Patent

Claim 4: Yes _____ No No

The '122 Patent

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

The '393 Patent

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

QUESTION 2: INDUCED INFRINGEMENT

Directions: In answering Question 2 below, please answer either “Yes” or “No” for each listed claim.

QUESTION 2: Has **Ms. Hafeman** proven by a preponderance of the evidence that **LG** induced infringement by another of the following claims of the Patents-in-Suit? “Yes” is a finding for **Ms. Hafeman**. “No” is a finding for **LG**.

The '287 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

The '122 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

The '393 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

QUESTION 3: CONTRIBUTORY INFRINGEMENT

Directions: In answering Question 3 below, please answer either “Yes” or “No” for each listed claim.

QUESTION 3: Has **Ms. Hafeman** proven by a preponderance of the evidence that **LG** contributed to infringement by another of the following claims of the Patents-in-Suit? “Yes” is a finding for **Ms. Hafeman**. “No” is a finding for **LG**.

The '287 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

The '122 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

The '393 Patent

Claim 1: Yes _____ No No

Claim 4: Yes _____ No No

Claim 7: Yes _____ No No

QUESTION 4: INVALIDITY- PRIOR ART

Directions: In answering Question 4 below, please answer either “Yes” or “No” for each listed claim.

QUESTION 4: LG has alleged that each of the following prior art references/systems and combinations render the following claims of the Asserted Patents invalid:

- Research in Motion’s BlackBerry System; and
- Microsoft’s Windows 2000 in combination with IBM’s EPO Publication No. EP0687968A2 (“Cohen”)

Has **LG** proven by clear and convincing evidence that the following claims of the Patents-in-Suit are invalid based on the prior art? “Yes” is a finding for **LG**. “No” is a finding for **Ms. Hafeman**.

The '287 Patent

Claim 1: Yes Yes No _____

Claim 4: Yes Yes No _____

The '122 Patent

Claim 1: Yes Yes No _____

Claim 4: Yes Yes No _____

Claim 7: Yes Yes No _____

The '393 Patent

Claim 1: Yes Yes No _____

Claim 4: Yes Yes No _____

Claim 7: Yes Yes No _____

If you have reached this point in the verdict form, you should have answered Questions 1 through 4. If you have not answered Questions 1 through 4, please go back and answer them before proceeding.

You should only proceed to answer Questions 5 to 7 if you (1) answered “YES” for any claim or claims in Questions 1, 2, or 3, and (2) you answered “NO” for the same claim or claims in Question 4.

If you answered “NO” for all parts in Questions 1, 2, and 3, OR if you answered “YES” for all parts of Question 4, then do not answer any further questions. Proceed to the last page, have your Jury Foreperson sign and date this Verdict Form, and then deliver it to the Court Security Officer. You should not pay attention to any other instructions between this point and the signature page found at the end of this verdict form.

QUESTION 5: ACTUAL NOTICE

Directions: In answering Question 5 below, please answer either “Yes” or “No” for each listed patent.

QUESTION 5: If you found the '287 Patent, the '122 Patent, and/or the '393 Patent is infringed and is not invalid, did Ms. Hafeman prove, by a preponderance of the evidence that she provided LG with an affirmative communication of a specific charge of infringement of that Asserted Patent by a specific accused product or device prior to July 2, 2021? “Yes” is a finding for Ms. Hafeman. “No” is a finding for LG.

'287 Patent: Yes _____ No _____

'122 Patent : Yes _____ No _____

'393 Patent : Yes _____ No _____

QUESTION 6: DAMAGES

QUESTION 6: If you found the '287 Patent, the '122 Patent, and/or the '393 Patent is infringed and is not invalid, what is the amount of damages that Ms. Hafeman has proven by a preponderance of the evidence that she is entitled to for LG's infringement of the Asserted Claims of the Patents-in-Suit?

\$ _____

QUESTION 7: WILLFULNESS

Directions: For each claim that you found to be infringed by having answered “Yes” to any claim in Questions 1, 2, or 3, AND for which you answered “No” to in Questions 4, please answer Question 7 by answering either “Yes” or “No” for each claim. “Yes” is a finding for Ms. Hafeman. “No” is a finding for LG.

QUESTION 7: Has Ms. Hafeman proven by a preponderance of the evidence that LG willfully infringed the following claims of the Patents-in-Suit?

The '287 Patent

Claim 1: Yes _____ No _____

Claim 4: Yes _____ No _____

The '122 Patent

Claim 1: Yes _____ No _____

Claim 4: Yes _____ No _____

Claim 7: Yes _____ No _____

The '393 Patent

Claim 1: Yes _____ No _____

Claim 4: Yes _____ No _____

Claim 7: Yes _____ No _____

Please proceed to the FINAL PAGE.

FINAL PAGE OF THE JURY VERDICT

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your **unanimous** determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 28th day of April, 2023.



Jury Foreperson